

**EXHIBIT B**

**Donald Watnick**

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**From:** NYSD\_ECF\_Pool@nysd.uscourts.gov  
**Sent:** Monday, July 30, 2007 3:51 PM  
**To:** deadmail@nysd.uscourts.gov  
**Subject:** Activity in Case 1:07-cv-03477-LAK Von Hassel v. Saint-Saens Affidavit of Service Complaints

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**U.S. District Court**

**United States District Court for the Southern District of New York**

**Notice of Electronic Filing**

The following transaction was entered by Watnick, Donald on 7/30/2007 at 3:51 PM EDT and filed on 7/30/2007

**Case Name:** Von Hassel v. Saint-Saens  
**Case Number:** 1:07-cv-3477  
**Filer:** Christian Augustin Von Hassel  
**Document Number:** 5

**Docket Text:**

AFFIDAVIT OF SERVICE of Summons and Amended Complaint,. University Press of the South, Inc. served on 7/5/2007, answer due 7/25/2007. Service was accepted by Tara Zeprowski, State of La., Sec. of State. Document filed by Christian Augustin Von Hassel. (Watnick, Donald)

**1:07-cv-3477 Notice has been electronically mailed to:**

Donald E. Watnick [dwatnick@watnicklaw.com](mailto:dwatnick@watnicklaw.com)

**1:07-cv-3477 Notice has been delivered by other means to:**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1008691343 [Date=7/30/2007] [FileNumber=3632857-0]  
] [067aecbc26db8f526307376207b5fcf4ce07e60f11ca5a64926e8a858bb4867f6aa  
811c1d682f8d780bfae0f0c73d77e8b0b5ab305f9d47e23e5bcad3099fe66]]

AO 440 (Rev. 10/93) Summons in a Civil Action - SDNY WEB 4/9

**United States District Court**  
**JUDGE KAPLAN**  
SOUTHERN

DISTRICT OF NEW YORK

CHRISTIAN AUGUSTIN VON HASSELL a/k/a  
AGOSTINO VON HASSELL,

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

ALAIN SAINT-SAËNS and UNIVERSITY  
PRESS OF THE SOUTH, INC.

**07 CV 3477**

TO: (Name and address of defendant)

University Press of the South, Inc.  
5500 Prytanie Street, PMB 421  
New Orleans, Louisiana

Alain Saint-Saëns

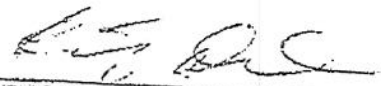
YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Donald E. Watnick  
LAW OFFICES OF DONALD WATNICK  
292 Madison Avenue, 17th Floor  
New York, NY 10017  
(212) 213-6886

an answer to the complaint which is herewith served upon you, within \_\_\_\_\_ days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK



(BY) DEPUTY CLERK

DATE

**MAY 01 2007**

AO 440 (Rev. 10/93) Summons in a Civil Action -SDNY WES 4/89

# RETURN OF SERVICE

Service of the Summons and Complaint was made by me<sup>1</sup>

NAME OF SERVER (PRINT)

Steven C. Powell

DATE

7-5-07

TITLE

Process Server

Check one box below to indicate appropriate method of service



Served personally upon the defendant. Place where served: \_\_\_\_\_



Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_



Returned unexecuted: \_\_\_\_\_



Other (specify): Served University Process of the South Inc and Alain Saint Louis  
through the Louisiana Secretary of State, 8544 United Plaza Blvd Baton Rouge  
Louisiana 70804 - TWA Zaprucki, commercial compliance specialist accepted papers

TRAVEL

STATEMENT OF SERVICE FEES

SERVICES

TOTAL

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

7-5-07 / 3:15

Date

Signature of Server

BOMBET, CASHIO & ASSOCIATES  
11220 North Harrell's Ferry Road  
BATON ROUGE, LOUISIANA 70816-0801  
(225) 275-0796 FAX (225) 272-3631

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

**EXHIBIT C**



Donald E. Watnick (DW 6019)  
LAW OFFICES OF DONALD WATNICK  
292 Madison Avenue, 17<sup>th</sup> Floor  
New York, New York 10017  
(212) 213-6886  
*Attorneys for Plaintiff*  
*Christian Augustin von Hassell*  
*a/k/a Agostino von Hassell*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CHRISTIAN AUGUSTIN VON HASSELL a/k/a :  
AGOSTINO VON HASSELL, :

07 Civ.3477 (LAK)

Plaintiff,

- against -

ALAIN SAINT-SAËNS and UNIVERSITY :  
PRESS OF THE SOUTH, INC., :

Defendants. :

APPLICATION FOR A  
CERTIFICATE OF DEFAULT

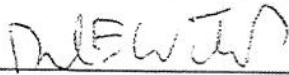
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PLEASE TAKE NOTICE that, upon the annexed Declaration of Donald E. Watnick, Esq., and the exhibits annexed thereto, and the prior proceedings in this case, Plaintiff CHRISTIAN AUGUSTIN VON HASSELL a/k/a AGOSTINO VON HASSELL, hereby applies to the Clerk of this Court, pursuant to Fed. R. Civ. P. 55 and Local Rule 55.1 of this Court, for a

Certificate of Default with respect to Defendant University Press of the South, Inc.

Dated: New York, New York  
August 13, 2007

LAW OFFICES OF DONALD WATNICK

By:   
Donald E. Watnick (DW 6019)

292 Madison Avenue – 17<sup>th</sup> Floor

New York, New York 10017

(212) 213-6886

*Attorneys for Plaintiff*

*Christian Augustin von Hassell a/k/a Agostino  
von Hassell*

Donald E. Watnick (DW 6019)  
LAW OFFICES OF DONALD WATNICK  
292 Madison Avenue, 17<sup>th</sup> Floor  
New York, New York 10017  
(212) 213-6886  
*Attorneys for Plaintiff*  
*Christian Augustin von Hassell*  
*a/k/a Agostino von Hassell*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CHRISTIAN AUGUSTIN VON HASSELL a/k/a :  
AGOSTINO VON HASSELL, :

07 Civ.3477 (LAK)

Plaintiff,

- against -

ALAIN SAINT-SAËNS and UNIVERSITY  
PRESS OF THE SOUTH, INC.,

Defendants.

DECLARATION

-----X  
I, DONALD E. WATNICK, an attorney duly admitted to practice law in the State of New York and this Court, hereby declare, under the penalty of perjury under the laws of the United States of America, that the following statements are true and correct:

1. I am attorney of record in the above-entitled case for Plaintiff CHRISTIAN AUGUSTIN VON HASSELL a/k/a AGOSTINO VON HASSELL, and am fully familiar with the facts set forth herein. I make this Declaration in support of Plaintiff's application for a Certificate of Default by the Clerk with respect to Defendant University Press of the South, Inc., pursuant to Fed. R. Civ. P. 55 and Local Rule 55.1 of this Court.

2. Defendant UNPS is a corporation organized under the laws of the State of Louisiana. Therefore, it is not an infant, in the military or an incompetent person.

3. On July 5, 2007, the summons and complaint was served upon Defendant UNPS



through the Secretary of State of the State of Louisiana. (A copy of the Affidavit of Service filed with this Court is annexed hereto as Exhibit A.)

4. Service was made upon Defendant UNPS through the Secretary of State in accordance with Fed. R. Civ. P. 4(h)(1) and Fed. R. Civ. 4(e)(1), which provides for service pursuant to the state laws where the District Court is located (New York) and where service is effected (Louisiana). Both Louisiana law (LSA-C.C.P. Art. 1262) and New York law (N.Y. BCL Section 306) provide for service of process on a corporation through the Secretary of State.

5. Defendant UNPS has failed to appear or otherwise defend this action. More than 20 days have passed since the date of service of the Summons and Complaint upon Defendant UNPS as required by Fed. R. Civ. P. 12. Therefore, Plaintiff is entitled to a default judgment, pursuant to Fed. R. Civ. P. 55, which provides that "[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these rules and that fact is made to appear by affidavit or otherwise, the clerk shall enter the party's default."

WHEREFORE, on behalf of Plaintiff CHRISTIAN AUGUSTIN VON HASSELL a/k/a AGOSTINO VON HASSELL, I respectfully request that the Clerk of the United States District Court for the Southern District enter a Certificate of Default, in the form accompanying this application, against Defendant University Press of the South, Inc.

Executed On: August 13, 2007



Donald E. Watnick (DW 6019)